

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. 571-273-0025) on July 22, 2005.

Michael J. Nieberding

Name (printed)

Signature

39,316

Reg. No.

July 22, 2005

Application of

Applicant : Brunswick et al
Serial No. : 10/093,930 039,930
Filed : 10/27/2001
Title : MIXER WITH PIVOTABLE BOWL
Docket : 006593-1870-C1
Examiner : Cooley, Charles B.
Art Unit : 1723

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JUL 22 2005

OFFICE OF PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW FROM ISSUE ENCLOSED

Sir:

Transmitted herewith is/are the following paper(s):

- ☒ Request for Continued Examination Transmittal (1 pp)
- ☒ Petition Fee Transmittal & Credit Card Payment Form (2 pp)
- ☒ Petition for Withdrawal From Issue--Issue Fee Paid (37 C.F.R. §1.313(C)) (2 pp)
- ☒ Information Disclosure Statement (1 pp)
- ☒ Information Disclosure Citation & Prior Art (28 pp)

The applicant(s) hereby authorizes the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension.

The Commissioner is authorized to charge any fee required by any paper submitted in this application (including the fee for any additional extension of time) or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,

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130.00 OP

By:

Michael J. Nieberding
Reg. No. 39,316
513-352-6719

544739

Serial No. 10/039,930
Petition to Withdraw From Issue
Page 1

Attorney's Docket Number 006593-1870-C1
(TW 30445.70)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brian A. Brunswick et al.

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Application No.: 10/039,930

Group No.: 1723

JUL 22 2005

Filed: 10/27/2001

Examiner: Cooley, Charles F.

OFFICE OF PETITIONS

Date of mailing "Notice of Allowance Fee(s) Due" 04/01/2005

Confirmation No. 1688

PETITION FOR WITHDRAWAL FROM ISSUE—ISSUE FEE PAID - URGENT
(37 C.F.R. § 1.313(C))

PETITION

1. Applicant hereby petitions for the withdrawal of this application from issue.

PATENT ISSUE FEE

2. The issue fee for this case was paid on 05/13/2005.

The scheduled issue date for this application is **August 2, 2004** under Patent No. 6,923,569.

REASON(S) FOR WITHDRAWAL REQUEST

3. The reason for the request for withdrawal from issue is:

Consideration of a request for continued examination (RCE) under § 1.114 and a Supplemental IDS submitted in conjunction therewith.

Serial No. 10/039,930
Petition to Withdraw From Issue
Page 2

PETITION FEES

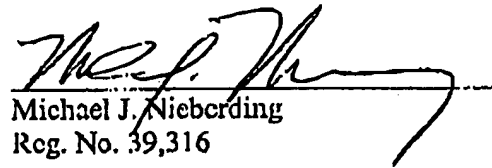
4. PETITION FEES (37 C.F.R. § 1.17(h))

The \$130.00 fee set forth in § 1.17(h), required by 37 C.F.R. § 1.313(a), is paid as follows:

Charge to Credit Card per accompanying Credit Card Payment Form.

Authorization is hereby made to charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,


Michael J. Nieberding
Reg. No. 39,316

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PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMD 06S1-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision)	Application Number	10/039,930
	Filing Date	10/27/2001
	First Named Inventor	Brunswick
	Art Unit	1723
	Examiner Name	Carley
	Attorney Docket Number	006593-1870-C1

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 20-0809:

☐ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

FAX RECEIVED

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

JUL 22 2005

For petitions filed under:

§ 1.53(a) - to accord a filing date,

§ 1.67(a) - to accord a filing date,

§ 1.182 - for decision on a question not specifically provided for,

§ 1.183 - to suspend the rules,

§ 1.376(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent,

§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

OFFICE OF PETITIONS

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 - for access to an assignment record,

§ 1.14 - for access to an application,

§ 1.47 - for filing by other than all the inventors or a person not the inventor,

§ 1.59 - for expungement of information,

§ 1.102(a) - to suspend action in an application,

§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available,

§ 1.206 - for review of refusal to publish a statutory invention registration,

§ 1.286 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued,

§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent,

§ 1.560(c) - for patent owner requests for extension of time in ~~ex parte~~ reexamination proceedings,

§ 1.556 - for patent owner requests for extension of time in ~~inter partes~~ reexamination proceedings,

§ 3.12 - for expedited handling of a foreign filing license,

§ 3.15 - for changing the scope of a license,

§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part,

§ 1.84 - for accepting color drawings or photographs,


§ 1.91 - for entry of a model or exhibit,

§ 1.102(d) - to make an application special,

§ 1.136(c) - to expressly abandon an application to avoid publication,

§ 1.313 - to withdraw an application from issue,

§ 1.314 - to defer issuance of a patent.


 Signature
 Michael J. Nieberding
 Typed or printed name

7/22/2005
 Date
39,316
 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to claim or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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